

REMARKS

Applicant has this amendment in response to the Office Action dated June 22, 2004. Applicant has amended claims 1, 3, 21 and 25. New claims 27-29 have been added. Claims 10-20 were previously canceled without prejudice. Claims 1-9 and 21-29 are currently pending. Reexamination and reconsideration are respectfully requested.

Claims 1-9 and 21-26 were rejected under 35 U.S.C. 103 as unpatentable over U.S. Patent No. 5,972,763 to Chou et al. ("Chou") in view of U.S. Patent No. 5,573,965 to Chen et al. ("Chen") and U.S. Patent No. 5,770,508 to Yeh et al. ("Yeh"). The rejection is respectfully traversed.

Applicant respectfully submits that the Examiner has cited no portion of the art that describes or suggests the combination of elements recited in claim 1, as amended, including "forming a metal layer over the semiconductor substrate and heating the metal layer to form a silicide on upper portions of the source and drain regions and on an upper portion of the gate electrode; wherein the extension control layer above the extension region inhibits the formation of a silicide on the extension control layer during the heating." The Examiner's citations to Chou and the other references do not appear to describe or suggest all of the elements of claim 1, including forming a silicide on select portions of the structure while utilizing the extension control layer to inhibit the formation of a silicide on the extension region, as recited in claim 1. Accordingly, for at least the above reasons, applicant respectfully requests that the rejection of claim 1 and its dependent claims 2-9 be withdrawn.

Applicant respectfully submits that the Examiner has cited no portion of the art that describes or suggests the combination of steps recited in claim 21, as amended, including in part "a single ion-implanting operation . . . wherein the ion-implanting operation includes implanting through the extension control structures to form the extension regions, and the ion-implanting operation includes implanting directly into the semiconductor substrate adjacent to the extension control structures to form the source and drain regions at the same time that the extension regions are being formed." The Examiner stated on page 3, paragraph 8 of the Office Action, that "Chou teaches a method wherein the ion-implantation step is carried out in a single ion-implantation operation." No specific portion of Chou was cited for this statement. It appears, however, that Chou describes performing a first ion-implantation to form layers 38 and 39 as shown in Chou Fig. 3E, then describes forming a second spacer layer 40 and a second ion-implantation to form

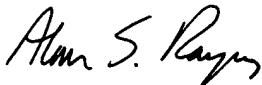
layer 41 as shown in Chou Fig. 3F. See Chou at col. 2, lines 42-56. Accordingly, applicant respectfully submits that the Examiner's citation to Chou is deficient. The Examiner's citations to Chen and Yeh do not overcome the deficiencies of Chou. Accordingly, applicant respectfully submits that for at least the above reasons, the rejection of claim 21 and its dependent claims 22-26 should be withdrawn.

The Office Action also included various comments concerning the art and the non-patentability of the pending claims. The discussion above has directly addressed some of those comments and the Examiner's other comments are deemed moot at this time in view of this response. Applicant reserves the right to prosecute the claims as they existed prior to this amendment if desired.

New claims 27-29 have been added. Support for these claims may be found throughout the specification and figures. It is believed that no new matter has been entered. Examination of these claims is respectfully requested.

Applicant respectfully submits that the pending claims are in condition for allowance. Reexamination and reconsideration are respectfully requested. If, for any reason, the application is not in condition for allowance, the Examiner is requested to telephone the undersigned to discuss the steps necessary to place the application into condition for allowance.

Respectfully submitted,

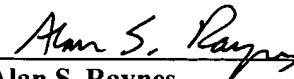

Alan S. Raynes
Reg. No. 39,809
KONRAD RAYNES & VICTOR, LLP
315 South Beverly Drive, Suite 210
Beverly Hills, CA 90212
Customer No. 24033

Dated: September 22, 2004

tele general: (310) 556-7983
tele direct: (310) 871-8448
facsimile: (310) 556-7984

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 22, 2004.


Alan S. Raynes September 22, 2004
(Date)